

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE**

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )  
                                )  
v.                            )                           **3:05-CR-32**  
                                )                           **JUDGE PHILLIPS/GUYTON**  
WILLIAM S. DENTON, III, )  
                                )  
Defendant.                 )

**PRELIMINARY ORDER OF FORFEITURE**

WHEREAS, on April 19, 2005, a Superseding Indictment was filed in the above-referenced case charging Defendant, WILLIAM S. DENTON, III with, in Count One, conspiracy to knowingly, intentionally, and without authority distribute and possess with intent to distribute in excess of one-thousand (1,000) kilograms of a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance, in violation of 21 U.S.C. §§ 846 and 841(a)(1).

WHEREAS, in the Forfeiture Allegations of the Superseding Indictment in the above-styled case, the United States sought forfeiture of the interest of the Defendant, pursuant to Title 21 U.S.C. § 853, in, among other things, the property described below which constitutes, or was derived from, proceeds obtained, directly or indirectly, as a result of said conspiracy in the Superseding Indictment or was property used in any manner or part, to commit, or to facilitate the commission of the said conspiracy.

AND WHEREAS, on August 7, 2006, the Defendant, WILLIAM DENTON, pled guilty to Count One charging him with violations of 21 U.S.C. §§ 846, 841(a)(1) and 841(b)(1)(B) of the Superseding Indictment and agreed to forfeit his interest to the United States in the properties

described below in which he hereby asserts that he is the sole and exclusive owner of the properties and that no one else has any legal or equitable interest therein.

- (a) Yamaha 125cc, VIN JYACE10C33A008084;
- (b) Yamaha 250cc, VIN JYACG01C0WA002962;
- (c) 1997 Harley Davidson Soft-Tail, VIN 1HD1BJL47VY014911;
- (d) 2000 Kawasaki ZX12, VIN JKAZX9A17YA009745;
- (e) 1999 GMC Yukon, VIN 1GKEK13R2XJ716651;
- (f) Bombardier 400cc ATV, VIN 2BVEGSF124V001689;
- (g) Kawasaki KS 400cc ATV, VIN JSAAK47B732108907;
- (h) 2000 Chevrolet Corvette, VIN 1G1YY12G9Y5110046; and
- (i) 1993 23-foot Runabout Boat, VIN BL2A17MSF293 with a 1993 Mercury 230 HP, Serial No.: 000D832099.<sup>1</sup>

AND WHEREAS, on August 7, 2006, this Court accepted the guilty plea of the Defendant, WILLIAM DENTON, and by virtue of said guilty plea and conviction, the Court has determined that the property identified above is subject to forfeiture pursuant to 21 U.S.C. § 853, and that the United States has established the requisite nexus between the property and the aforesaid offenses. Further the United States is now entitled to seize said property, pursuant to 21 U.S.C. § 853(g) and Rule 32.2(b) of the Federal Rules of Criminal Procedure.

The Defendant, WILLIAM S. DENTON, III, and the United States agreed that the Defendant's father, William Denton, II, whose name is on the recorded title of the 2000

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<sup>1</sup> The 1993 23-foot Runabout Boat, VIN BL2A17MSF293 with a 1993 Mercury 230 HP, Serial No.: 000D832099 was administratively forfeited by the Drug Enforcement Administration on October 6, 2005.

Chevrolet Corvette, paid \$10,000.00 to the United States, in full satisfaction of and in lieu of the forfeiture of his interest in the 2000 Chevrolet Corvette. On January 19, 2007, an Agreed Order of Forfeiture was entered forfeiting the \$10,000 in lieu of the forfeiture of the 2000 Chevrolet Corvette, VIN 1G1YY12G9Y5110046.

Accordingly, it is hereby ORDERED, ADJUDGED AND DECREED:

1. That based upon the conviction of Defendant, WILLIAM DENTON for the violations of 21 U.S.C. §§ 846 and 841(a)(1), 841(b)(1)(B), the United States is hereby authorized to seize the following properties and the same are hereby forfeited to the United States for disposition in accordance with law, pursuant to 21 U.S.C. § 853:

**Vehicles**

- (a) Yamaha 125cc, VIN JYACE10C33A008084;
- (b) Yamaha 250cc, VIN JYACG01C0WA002962;
- (c) 1997 Harley Davidson Soft-Tail, VIN 1HD1BJL47VY014911;
- (d) 2000 Kawasaki ZX12, VIN JKAZX9A17YA009745;
- (e) 1999 GMC Yukon, VIN 1GKEK13R2XJ716651;
- (f) Bombardier 400cc ATV, VIN 2BVEGSF124V001689; and
- (g) Kawasaki KS 400cc ATV, VIN JSAAK47B732108907.

2. That the aforementioned properties are to be held by the United States Marshals Service in their secure custody and control.

3. That pursuant to 21 U.S.C. § 853(n)(1), the United States Marshal forthwith shall publish at least once for three consecutive weeks in a newspaper of general circulation, notice of this Order, notice of the Marshal's intent to dispose of the property in such

manner as the Attorney General may direct and notice that any person, other than the Defendant, having or claiming a legal interest in any of the above-listed forfeited property must file a petition with the court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier.

4. This notice shall state that the petition for a hearing to adjudicate the validity of the petitioner's alleged interest in the property shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title and interest in the forfeited property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the property and any additional facts supporting the petitioner's claim and the relief sought. The United States may also, to the extent practicable, provide direct written notice to any person, as a substitute for published notice as to those persons so notified.

5. That upon adjudication of all other or third-party interests in said property, this court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

6. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to the Federal Rules of Criminal Procedure 32.2(e).

7. That the Clerk of this Court shall provide a certified copy of this Order to the United States Marshals Service and to the United States Attorney's Office.

ENTER:

  
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THOMAS W. PHILLIPS  
UNITED STATES DISTRICT JUDGE

Submitted by:

JAMES R. DEDRICK  
United States Attorney

By: s/ Hugh B. Ward, Jr.  
HUGH B. WARD, JR.  
Assistant United States Attorney